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Docket No.: C37584/130070

8-29-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
J. SHAFFER, et al.)
Serial No.: 10/043,056) Examiner: Chester T. Barry
Filed: January 8, 2002) Group Art Unit: 1724

For: APPARATUS AND METHOD FOR BIOLOGICAL TREATMENT
OF ENVIRONMENTAL CONTAMINANTS AND WASTE

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

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Sir:

This is in response to the Office Action mailed July 16, 2002, which imposed a restriction requirement and set forth a shortened period of one month for response. Accordingly, this response is filed timely upon mailing with an executed certificate of mailing on or before August 16, 2002. 37 CFR 1.8.

It is not believed that this response occasions any fees, but should there be any fees, please charge the same to Deposit Account No. 02-4467.

RESPONSE

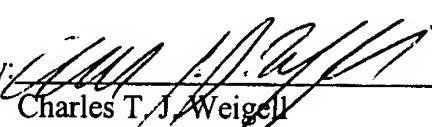
In the Office Action, the Examiner stated that the invention contained three groups of inventions which have been labeled Groups I, II and III. The Examiner considers these inventions to be distinct from each other requiring restriction under MPEP §806.05(a).

In accordance with the requirement, applicants hereby elect with traverse to prosecute the subject matter of Group I, namely claims 1-29, drawn to an apparatus.

Notwithstanding Applicant's traverse, the applicants reserve the right under U.S. Patent laws to prosecute the unclaimed subject matter in a divisional, continuation or continuation-in-part application at a later time.

Respectfully submitted,

By:

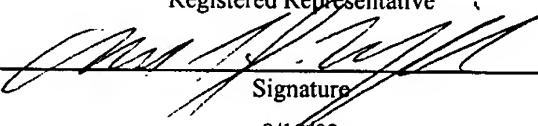

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I hereby certify that this correspondence is being deposited with sufficient postage to the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on August 13, 2002

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Charles T. J. Weigell

Name of applicant, assignee, or
Registered Representative


Signature

8/13/02

Date of Signature